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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES,

No. C 09-00599 CRB

12 Plaintiff,

ORDER DISMISSING CASE

13 v.

14 CRUZ-ARTIAGA,

15 Defendant.

16 /

17 Defendant Carlos Cruz-Artiaga has filed a response to this Court's September 24,
18 2012 Order to Show Cause (dkt. 28), stating that "[t]he defense concurs with the
19 government's legal analysis [and] has no objection to its request for dismissal." See dkt. 29.
20 Accordingly, the Court DISMISSES Plaintiff's petition under § 2255, with prejudice.

21 **IT IS SO ORDERED.**

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23 Dated: October 9, 2012


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CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE